

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

QUINTAVIUS RENDER, AMIR ROSS,
DEUNTAE SCOTT, and LORENZO
WILIAMS

Plaintiffs,

v.

RADIANT PROPERTY MANAGEMENT,
LLC,

Defendant.

Civil Action No. _____

**DEFENDANT RADIANT PROPERTY MANAGEMENT, LLC'S NOTICE
OF REMOVAL**

Pursuant to 28 U.S.C. § 1441, Defendant Radiant Property Management, LLC (“Radiant” or “Removing Defendant”) hereby removes the above-captioned action from the State Court of Fulton County, State of Georgia, in which it is currently pending, to the United States District Court for the Northern District of Georgia, Atlanta Division. As grounds for the removal of this case, Removing Defendant states as follows:

1. The action styled Quintavius Render, Amir Ross, Deuntae Scott, and Lorenzo Williams v. Radiant Property Management, LLC, Civil Action File Number 22EV001372, was commenced in the Fulton County State Court, State of Georgia on March 2, 2022 (the “State Court Action”).

2. The State Court Action is a civil action for damages. Plaintiffs allege that they were victims of aggravated assault, aggravated battery, and shooting at the Freedom Park Apartments. [Compl. ¶¶ 9, 10.] Plaintiffs allege that the Removing Defendant failed to exercise ordinary care to keep premises safe and were negligent. [*See generally id.* ¶¶ 12-30.] Plaintiffs allege and seek to recover damages arising out of their personal injuries; past, present and future pain and suffering; mental anguish; loss of the capacity for the enjoyment of life; impaired ability to labor; incidental expenses; loss of earning capacity; past, present, and future medical expenses; past, present and future lost wages; permanent injuries; consequential damages to be proven at trial; punitive damages; attorneys' fees and costs of litigation; interest and costs; and other relief. [*See id.* ¶¶ 34, 36, 37 (and subsequent "WHEREFORE" paragraph).]

3. The State Court Action is one over which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332, and is one which may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1441(a), in that it is a civil action wherein the matter in controversy, exclusive of interest and costs, exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00) and is between citizens of different states.

4. The State Court Action involves a controversy between citizens of different states as follows:

- a. At the time of the commencement of this action and through the present, to the best of Removing Defendant's knowledge, each Plaintiff has resided and maintained citizenship in Georgia.
- b. At the time of the commencement of this action and through the present, Removing Defendant was and is a New Jersey limited liability company, with each of its members being natural persons with citizenship in New Jersey or New York.

5. Removing Defendant acknowledged service of the Summons and Complaint on May 27, 2022. Prior to this acknowledgment, Plaintiffs attempted service upon Removing Defendant (i) through CT Corporation System, 289 S. Culver St., Lawrenceville, Georgia 30046 on May 10, 2022 and (ii) by "tack and mail" service at 691 Elizabeth Ave #2, Newark, New Jersey 07112 on March 31, 2022. Removing Defendant denies such earlier service attempts were valid. The Parties stipulated that service would run from May 27, 2022.

6. Removing Defendant is the sole defendant, is represented by the undersigned counsel, and consents to the removal of the State Court Action to this Court.

7. Thirty days have not yet expired since the action became removable to this Court.

8. Based on the Complaint and the diversity of citizenship of the parties, this Court therefore has original jurisdiction of this action under 28 U.S.C. § 1332 and, because no defendant is a citizen or resident of the State of Georgia, in which state this action is pending, removal of the action to this Court is proper under 28 U.S.C. § 1441(a).

9. Copies of all pleadings, process, and orders served on Removing Defendant in this action are attached to this Notice as Exhibit “1.”

10. On even date set forth below, a copy of this Notice is being served on Plaintiffs’ attorney, and a copy of this Notice is being filed with the clerk of the Fulton County State Court, State of Georgia.

WHEREFORE, Removing Defendant prays that it may effect the removal of this action from the Fulton County State Court of the State of Georgia to this Court.

Dated: June 3, 2022

Respectfully submitted,

By: /s/T. Brandon Welch

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Attorney for Defendant

CERTIFICATION UNDER L.R. 7.1D

Pursuant to Northern District of Georgia Local Rule 7.1D, the undersigned counsel for Defendants hereby certifies that the above and foregoing pleading is a computer document prepared in Times New Roman (14 point) font in accordance with Local Rule 5.1B.

Dated: June 3, 2022.

/s/ T. Brandon Welch
T. Brandon Welch
Georgia Bar No. 152409
Attorney for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **Defendant Radiant Property Management, LLC's Notice of Removal** with the Clerk of the Court using the electronic filing system and by electronic mail addressed to the following:

Andrew Brandt, Esq.
andrew@ricefirm.com
Attorney for Plaintiffs

Dated: June 3, 2022.

/s/ T. Brandon Welch
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